

Before the  
**COPYRIGHT ROYALTY BOARD**  
**LIBRARY OF CONGRESS**  
Washington, D.C.

FCB 08 0009

In the Matter of	)
	) Docket No. 2009-1
Digital Performance in Sound	) CRB Webcasting III
Recordings and Ephemeral	)
Recordings	)
	)

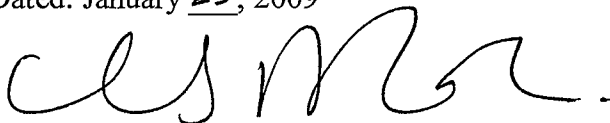
PETITION TO PARTICIPATE

Pursuant to Section 804(b)(3)(A) of the Copyright Act, Title 17, Section 351.1 (b) of the Copyright Royalty Judges Rules and Procedures, (37 CFR 351.1(b)), and Federal Register No. 74, No. 2, (Monday, January 5, 2009), RealNetworks, Inc. (on behalf of itself and its affiliates) herein files with the Library of Congress, Copyright Office, this petition stating the entity's intention to participate in the above-captioned proceeding before the Copyright Royalty Judges to establish reasonable rates and terms for compulsory licenses in connection with digital sound recording performances (17 U.S.C. § 114(f)(2)) and related ephemeral reproduction rights (17 U.S.C. § 112(e)) by means of "eligible nonsubscription transmissions" and/or transmissions by a "new subscription service" for the period beginning January 1, 2011, and ending on December 31, 2015.

RealNetworks has a significant interest in the subject matter of this proceeding because it utilizes and performs sound recordings under the above-referenced licenses and will therefore be subject to the rates and terms established in this proceeding and as such, petitioner intends to fully participate in the proceeding.

The requisite \$150 filing fee is submitted herewith.

Dated: January 29, 2009



[Signature of Officer or Authorized Representative of Service]

Cecily Mak  
Senior Counsel, Director of Music Licensing  
2012 16<sup>th</sup> Street, San Francisco, CA 94103  
415-934-2085  
415-934-6728  
cmak@real.com

February 2, 2009

**Via: USPS Express Mail**

Copyright Royalty Board  
Attn: LaKeshia Brent  
CRB Program Specialist  
P.O. Box 70977  
Washington, DC 20024-0977

FEB 03 2009

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2012 16th Street  
San Francisco, CA 94103

415.934.2000 (p)

415.934.6720 (f)

**Re: Docket No. 2009-1 CRB Webcasting III**

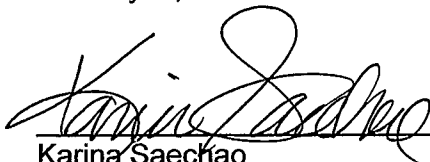
www.real.com

Dear Ms. Brent,

Enclosed please find a check in the amount of \$150 for the filing fee, an original, five original copies and a CD with an electronic PDF copy of the Petition to Participate.

If you have any questions please do not hesitate to contact Mrs. Cecily Mak at 415-934-2085 or [cmak@real.com](mailto:cmak@real.com)

Thank you,



Karina Saechao  
Legal Contracts Administrator  
RealNetworks, Inc.  
[ksaechao@real.com](mailto:ksaechao@real.com)  
(p) 415.934.2122



ORIGINAL CHECK HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE - HOLD AT AN ANGLE TO VIEW



RealNetworks  
2601 Elliott Avenue  
Seattle, WA 98121  
Phone: (206) 674-2700  
Fax: (206) 441-9462  
www.real.com

Bank of America, N.A.  
Atlanta, Dekalb County, Georgia  
Member Federal Deposit Insurance Corporation

64-1278  
611

107121

CHECK DATE	CHECK NUMBER	CHECK AMOUNT
30-JAN-09	107121	*****150.00

PAY

One Hundred Fifty Dollars And 00 Cents\*\*\*\*\*

TO THE  
ORDER  
OF

Copyright Royalty Board  
PO Box 70977  
Washington, DC 20024-0977

TWO SIGNATURES REQUIRED \$15,000.00 AND OVER  
VOID AFTER 6 MONTHS

AUTHORIZED SIGNATURE

⑈107121⑈ ⑆061112788⑆ ⑈3299818668⑈